

# UTILITY PATENT APPLICATION TRANSMITTAL

## (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
1759.139

Total Pages in this Submission

### TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application

P.O. Box 1450

Alexandria, VA 22313-1450

U.S. PTO  
17497  
10/687241



Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**USE OF SEMAPHORIN 3A FOR DIAGNOSING AND TREATING CANCER, ESPECIALLY PROSTATE CANCER**

and invented by:

**LATIL et al.**

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: PCT/FR02/00118  
~~Which is a~~ which claims the priority of U.S. 60/284,508.

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

### Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 30 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☐ Abstract of the Disclosure

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## Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☒ Formal      Number of Sheets      2
- b. ☐ Informal      Number of Sheets      \_\_\_\_\_
4. ☒ Oath or Declaration
- a. ☒ Newly executed (original or copy)      ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☒ Application Data Sheet (See 37 CFR 1.76)
8. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☒ Computer Readable Form (CFR)
- b. ☒ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☒ Paper
- c. ☒ Statement(s) Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement/PTO-1449      ☒ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
- ☐ First Class      ☒ Express Mail (Specify Label No.): EV 354834023 US

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

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## Accompanying Application Parts (Continued)

17. ☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: \_\_\_\_\_

18. ☒ Additional Enclosures (please identify below):

Check in the amount of \$40.00 for assignment recording fee;  
Remarks.

## Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

19. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

## Warning

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

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## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	15	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	7	- 3 =	4	x \$43.00	\$172.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$385.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$557.00

- ☒ A check in the amount of \$557.00 to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 08-1935 as described below.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: October 16, 2003

  
Signature

Kathy Smith Dias  
Registration No.: 41,707  
Customer N .: 23405

CC:

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

In Re Application of: LATIL et al.

Title: USE OF SEMAPHORIN 3A FOR DIAGNOSING AND TREATING CANCER,  
ESPECIALLY PROSTATE CANCER

Attorney Docket No.: 1759.139

"EXPRESS MAIL" MAILING LABEL NO. EV 354834023 US

Date of Deposit October 16, 2003

I hereby certify that this paper is being deposited with the U.S. Postal Service  
"Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date  
indicated above and addressed to:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

\_\_\_\_\_  
(Typed or printed name of person mailing paper or fee)



\_\_\_\_\_  
(Signature of person mailing paper or fee)

Enclosed:

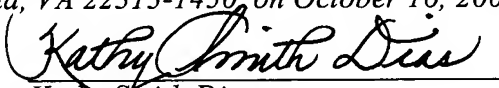
- \*Utility Patent Application Transmittal Letter (Small Entity) (4 pages) (in duplicate);
- \*U.S. Patent Application (30 pages);
- \*Two sheets of formal drawings (FIGS. 1 and 2);
- \*Application Data Sheet;
- \*Executed Declaration and Power of Attorney;
- \*Preliminary Amendment;
- \*Computer Readable Copy of Sequence Listing and Paper Copy of Sequence Listing;
- \*Statement;
- \*Remarks;
- \*Check in the amount of \$557.00 for the patent filing fee;
- \*Executed Assignment and Recordation Form Cover Sheet;
- \*Check in the amount of \$40.00 for the Assignment recording fee;
- \*Information Disclosure Citation and copies of references;
- \*One (1) acknowledgment postcard.

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Latil et al. Attorney Dkt. No.: 1759.139  
Serial No.: Unknown Examiner: Unknown  
Filed: Herewith Group Art Unit: Unknown  
Title: USE OF SEMAPHORIN 3A FOR DIAGNOSING AND TREATING CANCER,  
ESPECIALLY PROSTATE CANCER

CERTIFICATE OF MAILING

*I hereby certify that this correspondence is being deposited with  
the U.S. Postal Service as first class mail in an envelope addressed  
to: Mail Stop Patent Application, Commissioner for Patents, P.O.  
Box 1450, Alexandria, VA 22313-1450, on October 16, 2003.*

  
Kathy Smith Dias  
Attorney for Applicants  
Reg. No. 41,707

*Date of Signature: October 16, 2003*

To: Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


REMARKS

Sir:

The enclosed Declaration and Power of Attorney for Patent Application contains an error. Specifically, the serial number of a U.S. provisional application from which the present application claims priority is listed in the Section provided for listing prior Foreign Applications, the benefit of which are claimed under 35 U.S.C. 119(a)-(d) rather than in the section for claiming benefit of provisional applications under 35 U.S.C. 119(e). Since it is our policy not to alter a Declaration after it has been signed, the error has not been corrected.

Since the application is completely and unambiguously described by title, inventor and lists priority documents, the declaration is believed proper and sufficient, even though the serial number of the U.S. provisional application has been listed in the wrong place. Should the Office believe that anything further is required in order to perfect the above-designated application, please call applicant's undersigned representative at the number below.

Respectfully submitted,

  
Kathy Smith Dias  
Attorney for Applicants  
Registration No. 41,707

Dated: October 16, 2003

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